

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

THE LAW OFFICE OF PHILIPPE J.
GERSCHEL,

Plaintiff,

-v.-

NEW YORK CITY DEPARTMENT OF
EDUCATION,

Defendant.

24 Civ. 7595 (KPF)

ORDER

KATHERINE POLK FAILLA, District Judge:

At a pre-motion conference held on December 18, 2024, the Court set a schedule for Defendant's motion to dismiss the action, pursuant to which Defendant filed its opening brief on January 10, 2024. (Dkt. #14-15). Shortly after that brief was filed, the Court learned that substantively identical claims with substantively identical legal issues were being pursued by the same parties in two additional actions in this District: *The Law Office of Philippe J. Gerschel v. N.Y.C. Dep't of Educ.*, No. 24 Civ. 6303 (MMG) (SDA), and *The Law Office of Philippe J. Gerschel v. N.Y.C. Dep't of Educ.*, No. 25 Civ. 79 (GHW). Somewhat more importantly, the Court learned that the motion to dismiss in the first of these cases is fully briefed and has been referred to United States Magistrate Judge Stewart D. Aaron for a report and recommendation. (See 24 Civ. 6303 Dkt. #5 (referral order), 14-18 (briefing)). Given the identity of issues between the two cases — and, indeed, the near-duplication of Defendant's opening memoranda of law — this Court will stay the instant action pending the resolution of the motion to dismiss in Case No. 24 Civ. 6303.

The Clerk of Court is directed to STAY this action pending further order of the Court. The parties to the instant litigation are further directed to advise this Court of any developments in Case No. 24 Civ. 6303 within five (5) business days of their occurrence.

SO ORDERED.

Dated: January 24, 2025
New York, New York

A handwritten signature in blue ink, reading "Katherine Polk Failla".

KATHERINE POLK FAILLA
United States District Judge